

3. The Court in *Erickson v. Pardus*, 551 U.S. 89, 94 (2007) reaffirmed this principle, stating that "[a] document filed pro se is 'to be liberally construed,' and 'a pro se complaint, however inartfully pleaded, must be held to less stringent standards than formal pleadings drafted by lawyers.'" (quoting *Estelle v. Gamble*, 429 U.S. 97, 106 (1976)).

4. Furthermore, in *Castro v. United States*, 540 U.S. 375, 381-82 (2003), the Supreme Court emphasized the importance of providing notice and an opportunity to amend to pro se litigants before recharacterizing their filings, stating that courts must "notify the pro se litigant about the consequences of the recharacterization, thereby giving the litigant an opportunity to withdraw the motion or to amend it so that it contains all the § 2255 claims he believes he has."

5. While *Castro* dealt with a specific type of motion, its principle of providing notice and opportunity to amend has been broadly applied to pro se filings in lower courts.

6. In line with these precedents, Plaintiff respectfully requests that, should the Court find any deficiencies in the complaint, Plaintiff be granted leave to amend and be provided with specific instructions on how to correct any such deficiencies.

7. This approach aligns with the Supreme Court's guidance in *Foman v. Davis*, 371 U.S. 178, 182 (1962), which states that "the court should freely give leave [to amend] when justice so requires" and that "this mandate is to be heeded."

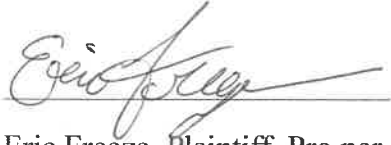
8. Plaintiff has acted in good faith throughout these proceedings and stands ready to address any perceived shortcomings in the pleadings.

WHEREFORE, Plaintiff respectfully requests that this Court:

- a) Deny Defendants' Motion to Dismiss;
- b) In the alternative, if the Court finds any deficiencies in the complaint, grant Plaintiff leave to amend with specific instructions on how to correct any such deficiencies;
- c) Grant such other and further relief as this Court deems just and proper.

Respectfully submitted and Executed on this 5 day of July, 2024, at Concrete, WA

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A handwritten signature in cursive script, appearing to read "Eric Freeze", written over a horizontal line.

Eric Freeze, Plaintiff, Pro per

P O Box 12

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UCC 1-307 without prejudice

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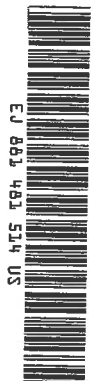
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